

**SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY**

PRESENT: HON. DEBRA A. JAMES **PART** **IAS MOTION 59EFM**

Justice

-----X	INDEX NO.	<u>155688/2018</u>
TATIANA AKHMEDOVA,	MOTION DATE	<u>12/31/2019</u>
Plaintiff,	MOTION SEQ. NO.	<u>004</u>

- v -

FARKHAD AKHMEDOV, COTOR INVESTMENT, S.A.,
QUBO 1 ESTABLISHMENT, QUBO 2 ESTABLISHMENT,
STRAIGHT ESTABLISHMENT, and AVENGER ASSETS
CORPORATION,

**DECISION + ORDER ON
MOTION**

Defendants.

-----X

The following e-filed documents, listed by NYSCEF document number (Motion 004) 66, 67, 68, 69, 70,
71, 72, 73, 75, 76, 77, 78, 79, 80

were read on this motion to/for

CONTEMPT

ORDER

Upon the foregoing documents, it is

ORDERED that the motion of plaintiff to hold non-party YCO NY, Inc. in contempt
of court is DENIED.

DECISION

This court agrees with the attorney for non-party YCO NY, Inc. that service of
the temporary restraining order by electronic mail, without order of the court
pursuant to CPLR 308(5), is insufficient to confer personal jurisdiction over such
non-party. Therefore, such non-party may not be held in contempt of such interim
order. See Citibank, N.A. v Anthony Lincoln-Mercury, Inc., 86 AD2d 828, 829 (1st Dept.
1982); compare Kozel v Kozel, 161 AD3d 700, 701 (1st Dept. 2018).

6/22/220

DATE

CHECK ONE:

CASE DISPOSED

GRANTED

DENIED

NON-FINAL DISPOSITION

GRANTED IN PART

APPLICATION:

SETTLE ORDER

OTHER

CHECK IF APPROPRIATE:

INCLUDES TRANSFER/REASSIGN

FIDUCIARY APPOINTMENT

REFERENCE

[Signature]
DEBRA A. JAMES, J.S.C.